

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON**

KYMBERLY F. MCCABE,

Plaintiff,

v.

**ACTING COMMISSIONER, SOCIAL
SECURITY ADMINISTRATION,**

Defendant.

Case No. 6:20-cv-00601-IM

ORDER

IMMERGUT, District Judge.

Plaintiff filed an application for fees under the Equal Access to Justice Act, 28 U.S.C. § 2412(d), and supporting materials on April 12, 2022. *See* ECF 33; ECF 34. On April 26, 2022, the Commissioner filed a Response noting that it reviewed the Plaintiff's request and found no basis to object. ECF 35. After considering Plaintiff's submission and supporting materials, this Court hereby GRANTS Plaintiff's application for fees and ORDERS that attorney's fees and postage expenses in the amount of \$11,522.72 shall be awarded to Plaintiff pursuant to the Equal Access to Justice Act, 28 U.S.C. § 2412(d). Attorney's fees and postage expenses in the amount

of \$11,522.72 will be paid to Plaintiff's attorney, subject to verification that Plaintiff does not have a debt which qualifies for offset against the awarded fees, pursuant to the Treasury Offset Program as discussed in *Astrue v. Ratliff*, 560 U.S. 586 (2010).

If Plaintiff has no such debt, then the check shall be made out to Plaintiff's attorney, Katherine L. Eitenmiller, Harder, Wells, Baron & Manning, P.C., 474 Willamette Street, Suite 200, Eugene, OR 97401. If Plaintiff has a debt, then the check for any remaining funds after offset of the debt shall be made out to Plaintiff and mailed to Plaintiff's attorney's office at the address stated above.

IT IS SO ORDERED.

DATED this 14th day of June, 2022.

/s/ Karin J. Immergut
Karin J. Immergut
United States District Judge